593 In al-Qasr it is a rare sight to see a father and his young son together, and it is only slightly more common to see the father with the grown son. The second case may simply be a reflection of the division of labor since the son, once grown, takes over the economic tasks of his father.

593 869 584 872 593 852 [872] [583] [179] The most important duties of a father toward his son are three:. he must teach him generosity, courage and courtesy; he must see that the boy learns the Quran; and he must arrange a good marriage for his son. According to Peters (1960:34), the Cyrenaican Bedouin father must attend to three things for his son, namely: his circumcision, his education in the Quran, and his bridewealth when he marries. In al-Qasr, the Egyptian school teachers have succeeded in showing the Bedouin that circumcision is a private family affair and not a public ritual. Although all fathers still see to it that their sons are circumcised, the father is no longer responsible for "making a circumcision party." In fact, the father who does insist on following the old ways by hiring a dancer and publicly marking his son's rite de passage, will be ridiculed as one "who only wants to make money from the ritual gift (maquut) given the boy."

593 The son recognizes the rights which the father has over him through a show of respect and obedience. A boy shows deference toward his father by not smoking, singing, or reciting poetry of any kind in his presence. During the

593 be kept with the father's flock. Only in the case of a
[591] man's owning, or using, a large piece of land in the pasture area of al-Qasr will his son live away from the main part of the naja', i.e., away from his father's tent. The son then serves as his father's shepherd.

593 In the 'izba sector of al-Qasr, the pattern is gener-
591 ally the same except that the son will be given a room in
184 the house rather than a tent when he marries. Since the land in this area is more scarce and a matter of official ownership, the son is not likely to have his own house during his father's lifetime.

593 When the son does marry, the marriage proceedings may
584 be initiated by either the son or the father. But, under no circumstances that I heard of, would the son approach the father with the idea of his marriage; the son should communicate his desire to marry, first of all, to either his father's brother or his mother's brother. As the Bedouins
593 say, "Marriage is an agreement between fathers." What they
584 mean is that marriage is an agreement between tertiary groups.
*613 A father upon hearing of his son's wish to marry, for the boy's uncle will immediately tell the father, consults with the head of his tertiary group about such a proposed marriage. This is not a formal procedure but, certainly, the father would not go ahead with the marriage without making the matter public. In other words, marriage in al-Qasr is a

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*613
[593]

public corporate affair and not a private one.

The head of the boy's tertiary group then relays the information about the marriage to the heads of the other tertiary segments which make up the secondary group. Again, this is an informal procedure but all corporate representatives must be informed of, and must approve of, the proposed marriage. Thus is the corporate channel of communication kept open and the corporate network of authority relations maintained through a reciprocal exchange of rights and duties. It is, as Fortes (1949:209) has noted, the lineage principle which compels a man to consult and gain the support of his lineage-mates in any matter of importance, or even in trivial matters. Demands are channeled through the corporate lines, "for no jural act takes place except in the framework of the lineage system."

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If the father should not consult the secondary group concerning his son's marriage--he may anticipate objections and consider his son's desires above those of the group--there are sanctions, forms of moral coercion, which can be applied by the group. First, a man may be fined if he goes through with an objectionable marriage; added to this, the man may be denied access to the preferred channels of marriage which exist within the lineage; lastly, dependent upon the gravity of the situation, the man may be threatened with expulsion from the lineage group.

593 The daughter and wife roles are also subject to the dominant role of father in al-Qasr Bedouin society. The father has virtually the right of life and death over his daughter in certain situations. But in no case does he have this right over his wife. The differentiation in right here
593 *613 is again a matter of the authority principle operating within the framework of the lineage system. A man's daughter belongs
[851] to his patrilineage or authority group while his wife belongs to the authority group of her father. There is an obvious
[582] exception to this statement about Bedouin society, for given the practice of parallel-cousin marriage a man and his wife can belong to the same authority group, the same tertiary
593 group. Even so, only the father has the right of life and death over the girl who is his daughter. The Bedouins say, "The bones of the girl belong to the father." There are two
593 684 situations in which a father may rightfully put his daughter to death: when she is found guilty of pre-marital intercourse (loss of virginity), or if it is proved that she has had any extra-marital sexual activity. In either case, if the husband were to kill the girl he would be guilty of murder and his group would have to forfeit blood-money or be threatened with retaliation. I heard of no such actual cases.

593 The father's major duty toward his daughter is to
• 584 provide her with "a good marriage." This, of course, parallels his duty toward his son and emphasizes that a father is con-

593 cerned with his own and his group's status in marriage arrange-
•[584] ments. One informant said that a rich man must marry into a
[581] rich group. The Bedouin have a saying which is relevant here:
*[613] "Your bait is equal to the bait into which you marry." Before her marriage the girl's duty toward her father is to respect and obey him. After her marriage "her only duty is that she
[958] must visit him from time to time. If he becomes sick, and he has no wife, she must care for him and nurse him."

593 It was a common sight to see a Bedouin father fondle
834 his daughter of age six years or younger, but beyond this age physical intimacy ceases. The Bedouin say that a father should not kiss or hold on his knee a daughter over the age of eleven. After the girl marries, a definite avoidance custom characterizes the father-daughter role relationship. The Bedouin say that the father will not see the face of his daughter after her marriage. This means that the married daughter remains veiled before her father, and even before her older brothers. This type of avoidance custom is rare by comparison with the cross-cultural data (Driver 1966).

593 A wife obeys her husband concerning all matters: "she does not even leave the house without his permission." A woman may go and complain to her father if her husband does not provide for her, i.e., with food and clothing, or if he unjustly beats her or continually threatens to beat her. On the other hand, if a woman is in the wrong "it is

584 A girl has the right to refuse to marry her ibn 'amm.
582 But if she exercises this right, he can actually insure that she remains unmarried for the rest of her life. While I was in the field there were three cases of a girl refusing to marry her cousin. In one, the boy was persuaded into allowing the bint 'amm to marry his rival. In this case, the rival presented the girl's cousin with a sheep and a small cash sum. The Bedouins say that a man will claim his cousin even if he does not wish to marry her. He will wait until someone does wish to marry the girl, and then he will demand a payment from the suitor for the right to marry his cousin. In another case, a man and his daughter of a Marabit tribe came to al-Qasr to plant a small patch of barley during the rainy season. While they were there, the father married the girl off to a member of 'Ailit Ma'fas. The father did this despite the fact that her cousin back in her own territory had made explicit his claim to her. The father, when he returned home, * [613] [686] was fined 30 L.E. by his lineage, the money going to the girl's cousin as a "expiatory payment." The father could afford to do this considering the large brideprice which he received from 'Ailit Ma'fas, and the fact that he had no other sons or daughters to marry off meant that he need not fear the closure of marriage channels by the group. In the third case, a girl openly refused to marry her cousin because she loved another man. To avoid conflict, her father said that

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[584] she could marry no man.

Most of the older Bedouins say that bint 'amm marriage
582 as it is practiced in the desert is an evil, that it causes
578 nothing but trouble. They say that if there are bad feelings between two men they will place claims upon each other's sister with the intention of preventing the girls from ever marrying. The younger Bedouins say that "it is better to marry the bint 'amm than to let a stranger take her." The
[182] claim on the bint 'amm, of course, should be seen as a basis
[571] for social relationships between groups, regardless of any
[586] conflict it may or may not lead to. This is why the Bedouins say that a man "will never divorce his bint 'amm, because if he does that means that she is no good." It follows, then, that if "she is no good" none of her other paternal cousins will marry her. Implicit here is the reference to the making
[182] and breaking of group ties. Similarly, to regulate and to maximize kinship ties, a man can claim only one of his father's brother's daughters. In the case where there is only one bint 'amm, her eldest cousin has first claim to her.
582 This sometimes causes conflict between brothers as the fol-
578 lowing informant's story indicates.
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> The father of Salih and Aziz was dead which meant that Aziz, being the elder, would have to furnish the brideprice if Salih were to marry first. In fact, Salih wanted to marry his bint 'amm. Aziz refused him permission to do so: Aziz had first claim to the bint 'amm, and, also, he thought that the brideprice which

585 178 Only one of the three weddings was conducted in the traditional way with three nights of dancing previous to the wedding and a large feast on the wedding day. The Bedouin say that a man can no longer afford to do things the old way.

•584 The procedure of the marriage arrangement begins when the boy informs his uncle that he wishes to marry. Then the uncle, [583] the father and other males of the group meet with the father of the prospective bride to arrange the marriage, an important part of which is the establishment of the brideprice (hulwaan or mahr). Before going to see the girl's father, the boy's 584 father consults with his secondary lineage group, as I have *613 already mentioned. Then he should wait for a period of seven days, for the girl's father, "who has heard about the marriage," must consult with his group and wait for a period of one week during which time any member of the girl's 584 lineage may claim her. After this time, the ties proposed [695] by the marriage are ritualized by two preliminary acts: the writing of the contract (ma'azuum) between the fathers, and the offering of a lamb by the groom which solemnizes his intentions and the marriage (dabah fi-l-williyya). After [431] another waiting period of about two weeks, during which time the boy buys gifts of clothing and jewelry and presents them to the girl at her home, the wedding celebration begins.

585 On the day of the wedding, the girl is delivered to the groom's residence. The girl remains in the groom's tent, or

562 593 554 182 578 in Bedouin society, that is, the role of wife-daughter. The principles of patrilineality and cognation do not work against each other when the girl marries outside her corporate group, nor does her new dual role present a case of role conflict. 562 593 554 182 578 On the contrary, the wife-daughter role functions to bind together two groups which are structurally differentiated by the rule of patrilineality. During time of peace, the wife-*613 [431] [628] [594] daughter acts as a bond-maker by carrying gifts back and forth between the two groups, often bringing some of her younger patrilineal relatives back to her husband's house or tent for short visits. During a time of conflict or war, the 562 593 554 [726] •[584] Bedouins point out, she is the only person who can cross the battle lines unharmed. She is a match-maker as well as a peace-maker. Often she influences the selection of mates by individuals in both her husband's group and her father's 562 593 554 582 group. The Bedouins say that "after the bint 'amm, a man should marry his bint khal ("mother's brother's daughter") because she is like his bint 'amm." Usually, over a period of a few generations, a given direction in marriage is sustained (see Figure 10), and it is one function of this wife-daughter role to accomplish this important political action.

562 593 554 *613 182 The role of wife-daughter, then, may be seen as one important aspect of what Fortes (1953:33) calls, "complementary filiation," the essential mechanism which provides the link between the corporate groups of al-Qasr society and the kin groups of the parent who does not determine descent.

*613 he was insistent upon his right to have her. She went to
619 see the "holy man," al-Sanusi, who lives near al-Qasr. (Al-
578 Sanusi is a descendent of "the Great Sanusi," the founder of
582 al-Sanusiyya, who now lives in Egypt after having been exiled
793 from Libya.) Al-Sanusi decided to keep the girl at his farm
*613 until he could decide a course of action. One night, the
619 girl's cousin secretly came to the Sanusi farm and found her
578 room. The girl was sleeping. The cousin struck a match, the
582 girl awoke and was frightened. She jumped from her bed and
793 began to run, in so doing she fell down a flight of stairs
683 and suffered a rupture. This was a serious offense which the
cousin had committed, and al-Sanusi decided that he should call
all of the 'awaaqil of the area to inform them of this. In the
meantime, he sent the girl back to her home and the cousin
continued to bother her concerning his rights over her.
•[584] The cousin went so far as to "offer the blood-sacrifice for
her," a stage in the marriage process which signifies that the
union has been consented to by both families. The girl's
father was dead, and her brothers and uncles were unable to
keep the cousin away from the girl. (It may be assumed that
they were conscious of his rights to bint 'amm.) They had
even beaten him once. All of the 'awaaqil of 'Ali Ahmar and
[692] 'Ali Abyad, and the Marabtiin in the al-Qasr area came to meet
with al-Sanusi at his farm. He (al-Sanusi) said that they all

are necessary for the validation of the marriage contract. Modern legal systems which took as their basis the Islamic law of marriage and the family further required the registration of the marriage contract for the marriage to be legal.

The request and necessary response forming the marriage are supposed to be carried on by the parties involved. However, if either the groom or the bride is not of age, or is mentally unqualified, the transaction is carried on by his or her guardian, or "wakil." The wakil is the father, unless he is dead or an invalid, in which case the brothers become the wakils. If the person has no brothers, then the uncles become the wakil in the order stated. According to certain Sunni sects in Islam, a woman marrying for the first time is always represented by her wakil, even if she is of age. The assumption is that a woman who has never been married does not have the experience that enables her to enter into any kind of legally binding relationship such as marriage.

Following the original Islamic idea, marriage among Awlad Ali is an oral agreement between the groom or his father and the guardian (wakil) of the bride-to-be (her father, if alive, or her closest male kin in the following order: her brothers, her uncles, her grandfather). A religious man is sometimes asked to perform the marriage, although it is not required. Some persons might invite a member of the Murabiteen tribe or holy men to witness the marriage on the basis that his presence gives "baraka," or blessing, to the marriage. Before the application of the State legal system to the area, marriage contracts were not registered. In recent years, however, and with the increased mobility of the tribal populations, more and more marriages are being registered in the administrative districts. Still, according to the unofficial estimates,

Still, according to the unofficial estimates, only about ten per cent of all marriages are registered, and these are mainly mixed marriages involving a tribal person and a non-tribal one or a tribal member who is not living in the area anymore. The reason is that such a spouse, especially when he is the husband, is not under the control of the tribal customs and therefore cannot be forced to fulfill his obligations if he fails to do so. Most of the tribal population still feel that marriage is a personal and family affair that should be kept away from the State legal system.

Marriage among Awlad Ali is a relatively informal procedure. When a man decides to marry a certain girl, he informs his mother who, in turn, informs his father. The father may have objections to his son's choice of the bride. Such objections may be based on already strained relations between the two families or the questionable reputation of the girl or any member of her family. In such cases, the father tries to dissuade his son from going ahead with the marriage. The father is usually successful in controlling his son's choice when the latter is dependent on his father for the payment of the bridewealth called "mahr" and for the support of his new household. This is usually the case in the man's first marriage. In subsequent marriages and in the cases where the son has independent means of support for himself and his bride, the father's control of the son's choice is minimal, and asking the father's approval is a matter of formality. In second and subsequent marriages, the approval of the older wives is essential. The older wives have no right to object to the husband taking an additional wife, but they have the right to object to the choice on the basis that the new bride is hard to get along with or that there is animosity between her family and the families of the other wives which makes

593 cooperation between the wives in household activities difficult. The
595 wives have to have reasonable grounds for their objection to the new
584 bride. But even then, the husband could still marry the woman of his
[431] choice, although in this case he has to bring gifts to the other wives as "nasafa," or making-up present.

584 If the family has no objections to the marriage, the proceedings
593 start. The initial proceedings are undertaken by the women on both sides. The groom's mother or a female relative of his mother's generation or older visits the mother of the prospective bride and tells her of her son's intention to marry the latter's daughter. The bride's mother then discusses the matter with the girl's father who has the
[429] final say in the matter. If the father is dead, then the authority on giving the girl in marriage goes to her brother or closest male kin in the order specified before. The girl has no say in the matter of marriage and cannot refuse to complete the marriage, although after marriage she can resort to a certain practice which helps her to terminate the marriage without the consent of her guardian, as will be seen later in
584 the chapter. From this moment until the conclusion of the marriage
[583] negotiations are done by the men of both families. The first thing to be discussed is the amount of bridewealth, a "mahr." If the two families agree on the marriage, a small ceremony is held. This ceremony is called
[709] "el-fatha" in reference to reading the first "sura" of the Koraan known as el-fatha, or "the beginning." The ceremony includes members of the
[675] two families and very few friends. After the fatha is read, the agreement is achieved. This is considered as an engagement and means that the girl is spoken for and therefore no other man can ask to marry her.

To break the fatha agreement, the father of the prospective bride

584 has to have a good reason. If he breaks it without sufficient reason, [686] he may be liable to pay "kabara," or fine, for insult to the prospective groom and his family. Adequate reasons for breaking the fatha agreement vary from one case to another and include such things as the discovery that the prospective groom or any of his family is of questionable character. This applies to the groom as well as to any member of his immediate family, the implication being that if he has such a person close to him, he is likely to be influenced by him in his treatment of his wife. If, however, the questionable character of the groom or the member of his family was known to the guardian of the bride-to-be before the fatha was read, then to break the agreement is considered unjustifiable. This has been upheld in a number of cases which I recorded during my stay in the area. One of these cases involved the agreement 584 686 627 between a member of the Sanagra tribe in the area of Alamein to marry his daughter to a member of the powerful Bara'sa tribe in Libya. After the fatha was read, a wealthy merchant from Alexandria saw the girl and asked her father to marry her, and the father agreed. To justify his breaking of the fatha agreement, the father claimed that he had discovered that the first prospective groom and his father were involved in smuggling goods across the Libyan borders. In the Mi'ad that was held upon the request of the first groom and his father, the father claimed that the bride's father had known about the smuggling and even participated in the distribution of the smuggled goods. The father of the bride was made to pay the sum of ten pounds as kabara to the first groom and to pay him another ten pounds for the expenses of the ceremony in which he had slaughtered two goats. The settlement was based on the fact that all indications show that he must have known about the smuggling activities

584 686 [627] of his future in-law before he agreed that his daughter marry him. So, to break the agreement on the basis of discovering that defect is not permissible and is a kind of behavior not to be encouraged. To encourage such behavior would lead to the waste of time and money and would lead to the disgrace of the fatha as a preliminary agreement.* Permitting the father to break the fatha agreement when discovering an unknown condition related to the prospective groom or his family, is to apply an important principle in the Islamic law with regard to all 686 contractual relations. This principle maintains that any contractual agreement pertains only to the facts and conditions specified at the time of the contract. This implies that the conditions of the contract have to be explicitly stated. A deliberate effort to conceal an undesirable condition has the equivalent effect of specifying the existence of its opposite. Such concealment invalidates the contract and permits the aggrieved party to dissolve the contract on the basis of cheating or unfair deal, or "ghish."

If, on the other hand, no deliberate attempt is made to conceal the undesirable condition at the time of the contract, then there is no basis for dissolving the contract on the basis of cheating or unfair 584 deal. Thus, in the case above, neglecting to mention the fact that the 686 groom and his father were involved in smuggling could not be taken as the basis for unfair or unreasonable behavior on the part of the groom, unless there was proof that they intended to cheat and conceal that fact deliberately, and that they knew that if not concealed, the fact would affect the acceptance of the bride's father to the marriage. All indications of the case above point to the lack of intent to defraud. On the

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* The same rule applies to the breaking of the "fatha" agreement by the groom.

584 contrary, there is enough evidence to indicate that the father of the
686 bride by participating in smuggling should have known about that fact, or at least it would not have affected his decision had he known about it. The grounds for unreasonable or unfair behavior is therefore not present in the above case.

If, on the other hand, the condition is specified at the time of the contract which is proven later to be false, then the behavior is
[585] considered as unreasonable. An example is the case of Mahdi, who, after reading the fatha to marry a woman from his tribe, was discovered to have had tuberculosis and was forced to forfeit the gifts and other expenses on the basis that he had had the illness for a long time and knew about it, but he deliberately concealed it when he asked to marry the girl. Not all concealed conditions are considered as an adequate basis for the breaking of the fatha. Only conditions are adequate which, had they been known at the time of the agreement, would have made the party's decisions different. One case involved a man who had concealed the fact that he had a wife in Alexandria when he asked to marry a tribal girl. Although the intention to conceal the fact was very evident, for this is the first question that the girl's father or her guardian asks the suitor, yet, breaking the fatha agreement by the girl's father when he discovered the previous marriage was considered as unfair and unreasonable since, had he known about the marriage, it would have made no difference in his decision. The go-betweens disagreed, however, on this. One of them thought that although the concealed condition is by itself not objectionable, yet, the mere act of concealment indicated a bad character on the part of the prospective groom, and that by itself, apart from the concealed condition, is not a good basis for marriage relations. The bride's father did not have to pay kabara, although he held

The bride's father
584 did not have to pay kabara, although he held
686 a big feast in which he slaughtered three sheep and invited the groom,
558 his father and a number of his friends and friends of the girl's father in honor of the groom as a compromise.

583 Before the fatha is read, the two families usually agree on the amount of bridewealth, or "mahr", to be paid by the groom or his father. The amount of bridewealth depends upon a number of criteria, important among which is the relative position of the bride's and groom's families and the degree of relationship that exists between them. The lowest mahr is usually paid in the case of cousin marriages. The amount ranges from 10 to 50 pounds. Sometimes when the groom cannot afford any mahr, he pays only the religiously required sum of 25 Egyptian piasters. This is never the case if the groom and bride are more distantly related. When the groom is an outsider or a member of another tribe, the mahr is usually much higher. Several cases of mahr of more than 2,000 pounds are reported in the area. There was a case in which the mahr reached 10,000 Egyptian pounds ($22,000). The amount of mahr also depends on the beauty of the bride. In the case of the highest known mahr mentioned above, the woman was known to be of great beauty. There
[587] is no distinction made between previously married women and ones married for the first time. In the case above, the woman was married three times before, and the mahr was apparently higher than that paid for her
[602] in her first marriage. Increasing the mahr according to the kinshp distance between the bride and groom reflects the preference of endoga-
582 mous marriages. The preferred marriage match in the area is that of the patrilateral parallel cousin marriage. The father's brother's son, "ibn 'amm," has an undisputed claim over his cousin, "bint 'amm." Even when they are of incompatible age, or even if the man is married or for

582 and although they are not considered wrong or sinful, there is a gen-
779 eral feeling of distaste among the tribal population to such marriages. They usually attribute this distaste to the fact that if the marriage with the first sister did not work out, there is no reason to expect the marriage with the second to be successful.* Although this might account, in part, for the low rate of cousin marriage in the group when present wives of the individuals are taken into consideration, yet, the effect of that practice should not be exaggerated. For although that prohibition might curb the marriage with the cousin who is the sister of a previous wife, it does not restrict the marriage with another cousin who is a cousin, rather than a sister of the first wife.

584 During the period that follows and until the marriage is final,
431 the groom is supposed to bring gifts to the bride. These gifts are usually a wide silver bracelet that is used as an engagement ring. Also gifts of clothes and jewelry are quite customary. Such gifts become the private property of the bride and are to be returned only if the engagement is broken for fault on the part of the bride or any member of her family. In such cases, her father has to return all the gifts his daughter has accepted as well as the expenses that the groom's visitations have cost him.

585 The marriage is affected and finalized by the payment of the bride-
583 wealth. In Islamic law the bridewealth is supposed to be paid to the
779 bride herself as a gift and not to her father, which had been a signifi-
431 cant departure from the pre-Islamic practice where two types of bride-wealth were paid: the sadaqa paid to the father of the bride or her

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[589] * This does not apply to cases where the first wife dies. In such cases, it is not objectionable to marry her sister, although the incidences of sororate are rare among the population.

583 Among Awlad Ali the payment of the bridewealth signifies the com-
[584] pletion of the marriage contract. The mahr is not paid to the woman but
583 to her father or closest male kin. Usually the mahr is paid in money.
178 This, however, seems to be a recent phenomenon. Until the turn of the
century, according to informants, the mahr was paid only in sheep and
583 goats. The practice is still followed by a number of tribal segments
178 of Ali Ahmar who occupy the western most part of the area where pasture
184 is more abundant and reliable and where the permanent pasture of the
green mountains of Cyrenaica is close by. Other tribal segments still
insist that at least one-fourth of the mahr should be paid in livestock,
but the majority of the people accept money. The main purpose of the
583 mahr among Awlad Ali is to legalize the marriage contract and to put
[584] emphasis on the reciprocal oblications that the marriage created between
[182] the two families of the bride and the groom. It also works as an in-
surance for good behavior on the part of both the husband and the wife.
583 If the husband mistreats his wife or fails to give her the rights legally
593 hers by marriage, he risks the chance of losing the mahr and being forced
586 to divorce her. On the other hand, if the wife fails to behave in the
customary way expected from a wife, the husband could divorce her and
have the right to get back his mahr. This is particularly inconvenient
in cases where all or part of the mahr is paid in livestock, in which
case it becomes part of the father's herd and hard to take away in case
of divorce. It is therefore in the interest of her family to keep the
marriage. In this way their interference in the marriage is checked.
[591] This is especially important among Awlad Ali where, although the mar-
[592] riage is usually patrilocal, the woman retains membership in her father's
household even after marriage.

593 606 557 586 [114] The case persisted for more than two months with no sign that either party was willing to give into the demands of the other. I left the area before any solution to the case was achieved.

584 578 606 [574] [575] Another relevant case is one which involved a dispute between Hassan Hassanein from the Sanagrah tribe and the father-in-law of his daughter who was also from the same tribe and who lived in the same area. The case started when Hassanein was visited by a friend from the Zsheibat tribe in Matruh, an old man of 60 or 70 years. During the night that this guest spent at Hassanein's house, they got to talking about marriage and the fact that although his guest was a wealthy and respected man, he had only one wife. After a lengthy talk, it seemed that the old man was convinced that he should have a second wife and asked Hassanein if he knew of a suitable girl to marry. Hassanein suggested his daughter's sister-in-law.

584 583 578 606 [577] Hassanein took the prospective groom to the tent of his daughter's father-in-law and discussed the matter with the father of the prospective bride who agreed to marry his daughter to Hassanein's guest if he paid the sume of 200 pounds, in addition to slaughtering a number of goats and presenting him with the appropriate presents. When the man agreed to the terms, the fatha was read to signify the agreement between the two parties. Hassanein left the man to spend the night in the camp of his future in-laws. In the morning the groom told the bride's father that he must go to nearby Alexandria to bring the money for the bride price. When he came back late that afternoon, he paid the money and set a date for the wedding the next Thursday and then left for Matruh to prepare for the arrival of the new wife.

584 578 606 686 Two days after the groom left, the bride's father (who is at the same time Hassanein's daughter's father-in-law) came to Hassanein and told him that the marriage was called off and that he should send a letter to the groom telling him the news. The reasons given by the bride's father were that the groom showed improper manners when he stayed overnight at the camp and that he followed the prospective bride to the water well to have a close look at her. He gave the money to Hassanein and asked him to return it to the man in Matruh. Hassanein was very disappointed and considered this an insult to him, since he was the mediator in that marriage, and insisted that the bride's father go on with the marriage. When the latter refused, Hassanein went to his daughter and ordered her to leave with him. Her husband was there and could not refuse to let her go with her father, even when Hassanein made it clear that her husband could not have her back unless his father kept his agreement with Hassanein's guest. Elewah, the daughter's husband, asked for a mi'ad to discuss the matter with his father-in-law. The mi'ad was held in Hassanein's house and was attended by Hassanein, his son-in-law, and two people from a different lineage, each selected by one of the disputing parties. Hassanein refused to give any reason for taking his daughter away from her husband except that he was exercising his rights. Eleway, on the other hand, insisted that Hassanein was not justified in his actions and that it was not right to punish him for something that his father did. The two representatives tried to calm both parties and to reach an agreement but were not successful. The mi'ad dissolved with Hassanein not only insisting on keeping his daughter, but also threatening to marry her to a rich man in the area. The case was not solved by the time I left the field.

and expenses to the husband that constitutes the most important check on the otherwise undisputed right of the father to take away his daughter.

The woman, on the other hand, cannot refuse to go with her father, for this means that she would be disobeying him. A woman who disobeys her father is not worthy of his name. He can cut her off from the family, which means that she is left without any support or protection. A woman who is cut off from her family is left vulnerable to her husband and to society. She will have nobody to defend her or to be responsible for her actions. The responsibility for the woman's behavior is not transferred by marriage to the husband or his family.

If the woman kills or assaults someone or causes damage to property for which compensation is required, her male kin pays the blood money or the compensation on her behalf. It is sometimes stated that if the woman has grown-up sons, they, and not her family, pay for her. Since the children belong to their father's family, it may seem like transfering the responsibility for the woman's actions to her husband's family. However, in all three cases where this happened, the woman was quite old, her father was dead, and her brothers were either dead or had moved outside the area and had cut off all relations with the area. She also had no nephews in the area. In such cases, the sons were the woman's closest male kin.

On the other hand, if the woman is the victim of murder or assault for which blood money or compensation is to be paid, the husband is the one to benefit from the situation. To understand why this happens, we have to consider the contractual nature of marriage among Awlad Ali. It has been mentioned earlier that before marriage is final, the prospective

584 husband or his father pays the woman's father the bridewealth, or mahr.
583 In exchange for the mahr, the husband expects his father-in-law to outfit his daughter with such items as rugs, blankets, and a few other household items, like cooking pots, serving dishes, and a metal or wooden chest [422] to keep her clothes in. These items become the private property of the wife, but the husband has the right to use them. In addition, the man 581 expects to gain certain rights to the woman. The customary law of Awlad 671 Ali gives the husband three basic rights over his wife: the right to her 585 sexual services (including the right to bear him children); the right to her labor in domestic activities; and the right to her obedience. Of the three rights, the first is the most exclusive. Not only doesthe husband have a complete monopoly over his wife's present sexual services, but he also has the right, if the girl has never been married before, to be the [583] first to use such services. If he discovers that she is not a virgin, he can send her back to her father and get back his mahr.

581 The other two rights are not as exclusive. The husband's right to 585 his wife's domestic labor does not prevent her from occasionally helping 593 out in her father's or brother's household, especially if they live nearby. Finally, the husband's right to be obeyed by his wife is always subordinated to that of her father, who retains the ultimate authority over his daughter.

682 If the woman is killed or injured, the husband is deprived of all 683 or some of her services, depending on the seriousness and the permanence 581 of the injury, and therefore is entitled to compensation. The right of 585 avenging the woman's murder remains, however, that of her family, since 593 she is still a member of that family.

husband. In a number of cases the husband was willing to divorce the woman after a promise by the man that she would pay him the mahr when she got married. In most cases, however, the process costs the man a considerable amount of money. Sometimes, when the woman is young and attractive, the man finds it to his advantage to keep her as his wife, since she will cost him no more expenses. On the other hand, the man cannot refuse a woman the right of refuge, since to do this or to deny her the right of hospitality will make him liable to pay kabara if she made the refusal known publicly. On the other hand, it is prestigious to be known in the area as a man to whom women go to be released from their husbands. In fact, a man who acquires a reputation of getting wives released is likely to be sought as mardi in other cases as well.

Due to the nature of his role in mediating, the woman must be careful in selecting the man over whom she throws herself. These considerations are manifested in the following case taken from my field notes. Hadia was forced by her father to marry a man from the same tribe who paid her father L.E. 100 as mahr. She did not want to marry him because she was in love with someone else of whom her father did not approve. One month after she was married, she left the tent and never came back. Later, she appeared in the house of Omda Ali, the chief of another tribe, and everyone knew that she had thrown herself on him. She later told me why she had selected Omda Ali and not the Omda of her own tribe. "Because my husband works for the Omda of my own tribe, and I thought he would be biased. Of course, I couldn't have gone to my father; he was the one who forced me to marry that man. Omda Ali is very respected and can support me... He is also rich and is known for releasing wives from their husbands." Omda Ali called the husband in and asked him to divorce

5: Peters E-5 (1948-1950) 1967 MT9 Libyan Bedouin MT9
Cyrenaica

121 613 682 674 829 604 kill within this range is, in terms of the general pattern of behaviour, stupid. What is of interest is that such killings do occur. I recorded three instances of men killing the mother's brother in the contemporary population, not to mention many others based on hearsay evidence only. Clearly, the relationship is more than a merely permissive one. The mother's brother may well be the only person who can help in certain crises, and if he withholds his assistance the sister's son is left in a dilemma. The form of behaviour in which demands are made is, as the Bedouin rightly say, that of asking a favour, but this does not mean that it is any the less urgent than a demand made against agnates. The range of favours is large, and only a few can be detailed here. If a group has insufficient water to meet its needs a man first seeks help from his mother's brother. The request has a number of aspects to it: it is a test of [554] the relationship itself; it is a matter of pride and status that a man can 'call' on another to help his group out of difficulties, it is an assurance that resources other than those jealously guarded by his agnates are available to him, and if a man is seeking to increase his power he must have available more than an agnate's share of local [582] water resources to supply his flocks and herds. When a blood-money payment has to be made, the mother's brother is expected to come forward—it is his right to give [584] without being asked. If a man wants a wife, he is not permitted to approach his father directly, but his mother's brother can put pressure on the father instead. If a man dies [429] while his eldest son is still a minor, his brother may be required to act as guardian, and in this role he controls the son's property; disputes frequently break out as a result, with the son at a considerable disadvantage, for he cannot engage his father's brother in hostilities—but his mother's brother can do so for him. Whenever men [422] come to possess animals before the demise of their fathers or when the father's brother is acting as guardian they mark them with the tribal and personal signs of their [583] mothers' brothers. Men have the right to demand contributions for bridewealth from their agnates if they lack wealth; in practice it comes not from them, but from the mother's brother. Finally, in certain circumstances, if a man does not have male heirs, his sister's son might inherit all his wealth.

121 613 606 Affinity also carries with it a large number of rights. A poor man may take up residence in the camp of his father-in-law, and be kept by him. The latter may come to his son-in-law's aid in many of his dealings with his father. Like the mother's brother, the affine is a potential source of water-supply when rain has been insufficient on the homeland. He also helps with blood money and bridewealth, and he is expected to aid his daughter and her husband with gifts of food and wool.

121 613 The details given above by no means exhaust the list of rights a man possesses in his matrilateral and affinal relatives. Obviously, these are not the only forms of relationship either, and the other forms carry with them yet other claims of various sorts. Enough detail has been given, however, to make clear the point that local agnatic groups are so differentiated, and inter-group relationships are so important, that each aspect of homicide settlement previously described will require further examination, not in the sense that additional complications must be introduced, but with the question in mind, is not the structural presentation false? Before beginning this stage of the argument it is necessary to establish the fact that the links of affinity and matrilaterality which a group has with another are of a kind which necessitate their inclusion in an analysis of the arrangements for settling homicides.

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584 Prior to the wedding festivities, the
593 father will have participated in negotiations, although even in these he will have remained silent, leaving an affine, as a rule, to arrange the details with the girl's father and his kinsmen. The father feigns aloofness from the start of negotiations until after the wedding celebrations have ended. Before inquiring into this seemingly odd behaviour, a few further details of marriage ceremonies need to be mentioned briefly.

585 The bride is carried to the nuptial tent on a camel, seated in a cagelike
342 structure placed on the camel's back, this canopy covered over with carpets
[492] and at least one long blanket — later to be used to divide her tent into male and female quarters — which constitute part of the goods given to a woman
[788] on marriage. On her arrival, while she is still seated in her canopy, the camel is led round the tent seven times by a small boy. She then descends and is hustled into the tent by a number of women who make a show of their attempts to conceal her from view. Inside the tent the bride is enclosed in one corner in a kind of cubicle partitioned off by a length of blanket.

585 In the meantime, the groom has affected to escape, but is "caught," while
[533] running away, by his fellows, who "compel" him to return to the nuptial tent,
[831] to the accompaniment of their lewd songs telling of the sexual pleasures awaiting him. Much of this is horseplay, but the young men carry it out brazenly and the groom is required to show reluctance to continue with the ceremonies. His entry into the nuptial tent is marked by an expectant hush that falls over the crowd of men gathered, as they await the result of the virginity test the groom is about to perform, which he does by wrapping part of his toga round one of his fingers to pierce the hymen. Sharp shrieks from
[202] the bride give the signal that the test has been undertaken; not a stir moves the crowd until evidence of its success has been publicly displayed, which is given by the groom hoisting the blood-stained portion of the toga through the corner of the tent on a pole, followed by firing three shots from his rifle. Jubilantly, the men gathered fire volley after volley from their rifles just over the nuptial tent, and the seven-day celebrations begin.

585 A full descriptive account of a marriage, or many of the ritual details
589 woven into it need not be given here. What is included is intended to illus-
[593] trate certain relationships between father and son, and between one
[561] generation and another. In this connection two further points are appropriate. First, during the week of festival, young men gather outside the nuptial
[535] tent each night to encourage a maiden in her dancing, clapping their hands
[533] to the point of injury "so that we will have a wife soon." The celebrations belong to the bachelors, and they are the only ones to engage in the singing and hand clapping. It is they too who stop the bridal camel on its way to
[538] the nuptial tent to recite obscene rhymes to the bride, and they also shout
[831] their rather dubious consolations to the bride who, during the virginity test, crying out for her mother, is assured by them that the night holds promise
585 for her which her mother could never extend. The married men, particularly
602 the close senior agnates of the groom, stay away from it all, discussing mat-
521 ters unconnected with the affair.

Cases

593 613 tegral part of "the one body"; events which affect a man in this context lie outside a father's field of jurisdiction. The political authority vested in a corporation acts to circumscribe the authority of persons in other fields.

Other rights stem from political membership. As a person with a defined position in a lineage corporation, a man has the right to use the natural resources of its territory. His father, although he instructs his son where to plough and when to water the animals, cannot deny him access to wells, pastures and ploughland. Economically, a son is independent to this extent, although his ability to exploit his right to the natural resources is restricted by his father's control of animals. Ultimately, however, this restriction cannot amount to stultification, because a man has the right to 613 422 735 demand food. In practice, a poor man staves off hunger with donations from this or that individual, and superficially it appears that he is dependent on the personal charity of his fellowmen. This is not so, for what is implicit is that the parcels of wealth controlled by individuals are the possessions of the corporation. It is not accidental that poor people do not go hungry. During my entire stay among the Bedouin I never saw one of them beg or [556] suffer hunger, however marginal the diet of many. Clearly, those with a surplus can and do use it for personal advantage, but the extent to which they can do so is circumscribed by the legal claims which members of a corporation have on the parcels of moveable property held by each of them.

613 421 428 Control over the wealth, whether it be animals or the procreative functions of women, rests, in the final analysis, in a corporation. Inheritance laws specify that women are not legal heirs,[8] and that all male children are equal heirs. Women do, in fact, come to control property, and it is rare that [562] wealth is equally divided among male heirs. The precise details of inherit- [593] ance may partly be decided by a father, but he is limited in his actions. Most of the time inheritance disputes are not of the kind which require action by the corporate group; a case which occured while I was resident with the Bedouin did, however, invoke immediate action. A man, who had left the desert to live in a village on the plateau, had only one daughter. He made it known that he intended to will his entire property to his daughter. When the news was brought to the camps of his fellow agnates, there was great consternation, because, as became clear in their lengthy discussions, the threat now existed that a substantial parcel of property would be removed from the group, a threat made real by the proposed marriage of the daughter to a man of another tribe. The court would have to recognise the daughter's [584] right to some of the property, and the members of the group reluctantly had to concede that there was little they could do about this, but they had one [593] action left to them — they decided that her nearest agnate should demand [584] her in marriage. Usually, the choice of husband for a daughter is a decision

[8] The Bedouin are Sunni Muslims, and, as Samusi, belong to the Maliki school in [797] [795] legal matters. According to court law, women are heirs. However, actual Bedouin practice is contrary to law. For, if women were permitted to inherit, since many marry [671] outside the corporation into which they were born, they could alienate its resources.

her father takes, but in certain critical situations he can be relieved of choice if the interests of the group as a whole are at stake.

Political authority is the preserve of a corporation, and its exercise leads to invasion of a man's authority in the field of domestic relations. This does not mean, however, that discrete areas of authority do not remain with the father. In the tent his authority over his son is so overwhelming as to keep the son in almost complete subordination. The son is referred to as a slave, and in daily life he has to behave as one. He must obey every command, for, were he to rebel, he would find little or no support among his agnates, whatever the extent of the provocation. Retreat from his father is hardly an alternative, since, while his father is alive, he has no animals of his own, and to leave camp would only mean that he would have to move outside his group to seek employment elsewhere as a shepherd. If he did this he would forfeit status, and almost certainly cut himself off from property which would fall to him after his father's death. A man who "denies" his father looses too many privileges for the practice to become widespread.

Caught in this dilemma, a son's predicament is worsened by the fact that he cannot initiate marriage negotiations — to be able to do so requires some animals to offer a girl's father. Through his mother's brother he has the means of bringing pressure to bear on his father, but the latter can resist for years. Finally, a marriage is arranged for him. It is difficult to convey the yearning of young Bedouin for marriage. They discuss it among themselves *ad nauseam*. For the most part their talk is about the sexual aspect of marriage. Premarital sex relations are strictly controlled, and the movements of each young girl are carefully guarded because, if on the day of her marriage the test shows that she is not a virgin, she not only brings disgrace to her family, but the marriage may be revoked and her worth as a bride for another man seriously diminished. Nevertheless premarital relations do occur, if not between youths and maidens to any extent, between young men and married women.

The question still remains: why is marriage the occasion of such ebullient celebration? The formal authority a father exercises over his son changes little on marriage. Economically the son is still harnessed to the father. The latter still shouts his orders at him, and obedience remains unaltered. Any sign of an independent view on a matter is met with a gruff rebuff. If the marriage turns out to be disagreeable to the father, he has the authority — if not always the power — to break it. Marriage does not mean a change in the general mode of behaviour between the two; the legal relations remain unaltered, albeit modified in practice, as the married son matures in age. But marriage does mean the acquisition of rights and status previously denied a son. Henceforward, he has a domain of his own. This is high drama, indeed, for although every effort is made to give substance to the expressed view that "nothing has happened," for the first time in his life the son has seized publicly, amid the jubilations of his fellows, a status which hitherto was the possession of the father.

Cases

The Meaning of Marriage

581 Until marriage the changes in a man's life have been in the nature of
585 an ordered sequence of development from a child to be cared for — the only
342 time in his life when a father, without inhibition, showers on him his love
[593] and affection — to one who, by degrees, makes an increasing contribution to a production unit. Marriage necessitates that a man pitch a tent for himself. With a tent he becomes a potential host and protector of others. The local idiom for marriage is "to set up a tent." It would be quite improper to use
[196] the verb "to marry" when inquiring whether a marriage has taken place
[195] since this verb also has the meaning of "to have sexual intercourse." Instead the euphemism, "Have you pitched a tent?" is used. The Arabic word for a tent in this context is *Bait*. It is not used to refer to a military tent, nor to the small tent which shelters only a widow. It is reserved for the Bedouin tent, which usually has a wool top, and, most importantly, holds the promise of the continuation of life, whether it shelters a newly married couple, a mature family or young unmarried people. (The word *Bait* represents a complex concept, and it would be too much of a diversion here to discuss the various points of its significance. It is essential to understand that its
[108] meaning is not confined to a tent in the physical sense.) Its top has *Baraka* (divine goodness) in it; the quality of *Haram*, which makes it possible for the tent to be used as a sanctuary, is associated with it and this quality of *Haram* extends, moreover, to the ropes of the tent, so that anyone who clutches them comes under the protection of the owner. In it, the wife must permanently reside and her husband has the legal right to insist on this. In it too, he has the legal right of sexual access to a woman, his wife. Any children
[885] born in it he can claim as his own. With the erection of a tent the son reaches adulthood, and it is in this sense that he can be said to have acquired a domain of his own.

581 Marriage gives a son greater freedom and less dependence on his father
585 in another sense. A second euphemism used for marriage is "making a
[593] relationship," specifically an affinal one. Relationships between a man and
[195] his father-in-law are diverse and are used in various ways in different situations. Here, the particular aspect which needs to be stressed is that a man
606 can cajole his father-in-law, and (through his wife) wealth, in the form
425 of animals, may pass from the former to the latter. Reciprocal gifts are passed
556 between affines on certain occasions, but in addition small amounts may pass which are not connected with the formal occasions of exchanges. Debt
583 lies between them. It begins with the initiation of marriage negotiations,
584 when the suitor's kinsmen take a prescribed number of sheep to present to
606 the girl's father if negotiations are successful. They promise to transfer bride-wealth[9] to the girl's father. A few weeks after the marriage, the hus-

[191] [9] I use the word "bride-wealth" because it has become so familiar in the literature, but the only similarity between the *Sahiba* of the Bedouin and the bride-wealth of

band is required to take gifts to his mother-in-law in recognition of the fact that she nourished his wife as an infant (the literal meaning of the word used for this gift is "milk"). A return visit is made and gifts are given to the daughter. When the first child is born an animal is presented by the affines, and if the child is a male, the gift may be several sheep, or even a few camels if the father-in-law is very wealthy. Formal exchange of gifts continue, but, in addition, informal transfers are made. Moreover, if relations between a man and his father-in-law develop favourably, it is not uncommon for a young husband, during the early years of marriage, to move away from his father and pitch his tent alongside that of his father-in-law. Marriage gives a son affinal relations of his own. Affinity can alleviate the dead weight of paternal authority.

It is suggested that the crisis the marriage of a son assumes for a father is the shift it entails in the distribution of authority. This is borne out by other details in the marriage ceremony referred to earlier. Ordinarily, young men dare not sing within earshot of their senior agnates. Far from allowing obscenities, agnates of the ascending generation would not allow even a mention of women to be made by young men, in their presence. In a group consisting of young men and an agnate, I chanced to use the noun for woman and immediately my tent was cleared of all but the senior agnate. At a wedding the young men revel in their lewd songs and shout their obscenities for all to hear. The senior agnates stand aside and make a show of ignoring the proceedings. And well they may, for each marriage is a challenge to the exclusive authority they have enjoyed; each nuptial tent is an invasion of the domain of which they have been undisputed masters. Marriage is the only occasion when the men of one generation can clap and sing their defiance of an older one, and give warning of the changes which must be accommodated however great the pretence that nothing has happened.

Marriage ceremonies dramatise the clash between adjacent generations over the distribution of certain forms of authority. If this authority is as overwhelming as has been suggested, and if it is so deeply resented, how is it that life is endurable for juniors? Relationships between junior and senior agnates are so restrictive that they almost amount to what Professor Fortes has suggested I view as a form of avoidance relationships. Juniors must always defer, they must obey commands promptly, they serve their seniors, they must accept a lead when it is given and the restrictions on conversations exclude all reference to women, marriage or sex. These are not simply a set of general guides for behaviour, they are rigidly applied rules, deviation from which is countered with rebuke or greater severity. It would appear from this

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many African societies is that wealth is transferred. Obviously, in societies where the rules of exogamy compel a dispersion of links outside a man's own clan, what is involved in this transfer of wealth cannot be sociologically similar to one in which marriage to the first cousin on either side is permitted.